

## EDUCATIONAL EXAMINERS BOARD[282]

### Notice of Intended Action

#### **Proposing rule making related to licensing and providing an opportunity for public comment**

The Board of Educational Examiners hereby proposes to amend Chapter 13, “Issuance of Teacher Licenses and Endorsements,” Chapter 18, “Issuance of Administrator Licenses and Endorsements,” Chapter 23, “Behind-the-Wheel Driving Instructor Authorization,” and Chapter 27, “Issuance of Professional Service Licenses,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 272.2.

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 272.7 as amended by 2018 Iowa Acts, House File 2283.

#### *Purpose and Summary*

The proposed amendments are intended to implement 2018 Iowa Acts, House File 2283, which amends Iowa Code section 272.7 by eliminating the requirement that licenses remain valid until the last day of the practitioner’s birth month, thus allowing the Board to adjust the expiration date for the initial license to align with the academic year.

#### *Fiscal Impact*

Board staff estimates that the Board has typically processed approximately 300 extensions per year that would be unnecessary in the future when these amendments become effective. Because the extension fee is \$25, the reduction in the number of extensions would result in a decrease of \$7,500 in fees collected by the Board annually and \$1,875 less in the Board’s annual deposit to the General Fund.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 282—Chapter 6.

#### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on June 29, 2018. Comments should be directed to:

Kimberly Cunningham  
Board of Educational Examiners  
Grimes State Office Building  
400 East 14th Street and Grand Avenue  
Des Moines, Iowa 50319-0147  
Fax: 515.281.7669  
Email: [kim.cunningham@iowa.gov](mailto:kim.cunningham@iowa.gov)

### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

June 27, 2018	Room 3 Southwest
1 p.m.	Grimes State Office Building
	Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs by calling the Office of the Executive Director at 515.281.5849.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 282—13.6(272) as follows:

**282—13.6(272) Specific requirements for an initial license.** An initial license valid for a minimum of two years with an expiration date of June 30 may be issued to an applicant who meets the general requirements set forth in rule 282—13.5(272).

ITEM 2. Amend rule 282—13.30(272) as follows:

**282—13.30(272) Licenses—issue and expiration dates, corrections, duplicates, and fraud.**

**13.30(1)** *Issue ~~date~~ and expiration dates on original license.* A license is valid only from and after the date of issuance. Licenses, authorizations, certificates, and statements of professional recognition will expire on the last day of the practitioner's birth month after the term of the license unless otherwise specified. If the expiration date is changed by rule, the change may be retroactive.

**13.30(2) to 13.30(4)** No change.

ITEM 3. Amend rule 282—18.4(272) as follows:

**282—18.4(272) General requirements for an administrator license.**

**18.4(1)** No change.

**18.4(2)** *Specific requirements for an initial administrator license for applicants who have completed a teacher preparation program.* An initial administrator license valid for a minimum of one year with an expiration date of June 30 may be issued to an applicant who:

*a. to f.* No change.

**18.4(3)** and **18.4(4)** No change.

ITEM 4. Amend rule 282—23.2(272,321) as follows:

**282—23.2(272,321) Validity.** The behind-the-wheel driving instructor authorization shall be valid for one year from the date of issuance. The behind-the-wheel driving instructor authorization shall be valid only if the holder continues to be qualified under subrule 23.1(1).

ITEM 5. Amend rule 282—27.2(272) as follows:

**282—27.2(272) Requirements for a professional service license.**

**27.2(1) *Initial professional service license.*** An initial professional service license valid for a minimum of two years with an expiration date of June 30 may be issued to an applicant for licensure to serve as a school audiologist, school psychologist, school social worker, speech-language pathologist, supervisor of special education (support), director of special education of an area education agency, or school counselor who:

*a. to e.* No change.

**27.2(2)** and **27.2(3)** No change.